

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN**

|                      |   |                       |
|----------------------|---|-----------------------|
| In re Lydia Madison, | ) |                       |
|                      | ) | Case No. 15-32776-BEH |
|                      | ) | Chapter 13            |
| Debtor.              | ) |                       |
|                      | ) |                       |
|                      | ) |                       |

**NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN**

Lydia Madison (“Debtor”) through her counsel, Michael J. Maloney and the Watton Law Group, has filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing, which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court  
517 East Wisconsin Avenue  
Room 126  
Milwaukee, WI 53202-4581

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| <b>Michael J. Maloney, Esq.<br/>Watton Law Group<br/>700 North Water Street, Suite 500<br/>Milwaukee, WI 53202<br/>Telephone (414) 273-6858<br/>Facsimile (414) 273-6894</b> |
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If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Michael J. Maloney, Esq.  
Watton Law Group  
700 North Water Street, Suite 500  
Milwaukee, WI 53202

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

### **REQUEST TO MODIFY CHAPTER 13 PLAN**

1. The Proponent of this modification is the Debtor;
2. This is a request to modify a Chapter 13 Plan (Select A. or B.)
  - A. ☐ post-confirmation;
  - B. ☒ pre-confirmation (Select i. or ii.);
    - i. ☒ Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or
    - ii. ☐ Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:
3. The Proponent wishes to modify the Chapter 13 Plan to do the following: to clarify the Chapter 13 Plan language

4. The reason(s) for the modification is/are: to clarify the Chapter 13 Plan language

5. Select A. or B.

A. ☐ The Chapter 13 Plan confirmed or last modified on \_\_\_\_\_ is modified as follows:

B. ☒ The unconfirmed Chapter 13 Plan dated November 23, 2015 is modified as follows:

Remove language:

Claims subject to 11 U.S.C. §523(a)(8) shall be treated as if current during the plan and at the completion of the plan shall be non-dischargeable and deemed current.

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

**6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION**

**CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

## **CERTIFICATION**

Complete one of the certifications below:

1. I, Timothy H. Hassell, attorney for the debtor Lydia Madison, certify that I have reviewed the modification proposed above with the debtor, and that the debtor has authorized me to file it with the court.

/s/Timothy H. Hassell  
Counsel for the Debtor

January 25, 2016  
Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Date: January 25, 2016

/s/ Timothy H. Hassell, for  
Michael J. Watton, Esq.  
Watton Law Group  
700 North Water Street, Suite 500  
Milwaukee, Wisconsin 53202

Attorney for Debtor

A copy of the foregoing filed electronically  
on January 26, 2016 with:

Clerk, U.S. Bankruptcy Court  
517 East Wisconsin Avenue  
Milwaukee, WI 53202

Copies of the foregoing mailed or sent electronically  
if the party named accepts electronic service  
on January 26, 2016 to:

Office of the U.S. Trustee  
517 East Wisconsin Avenue, #430  
Milwaukee, WI 53202

Mary B. Grossman  
Chapter 13 Trustee  
PO Box 510920  
Milwaukee WI 53203

Ms. Lydia Madison  
2840 North 19th Street  
Milwaukee, WI 53206

/s/Alyssa Witkowski- Legal Assistant  
(Electronically file by

Madison  
Case No. 15-32776-BEH